



61
PATENT
Docket No.: 21829/71 (EBC-005)
AF
1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Wei et al.)
Serial No. : 09/835,684)
Cnfrm. No. : 8258)
Filed : April 16, 2001)
For : TREATMENT OF FRUITS OR)
VEGETABLES WITH HYPERSENSITIVE)
RESPONSE ELICITOR TO INHIBIT)
POSTHARVEST DISEASE OR)
DESICCATION)
)

Examiner:
M. Ibrahim

Art Unit:
1638

**NOTICE OF APPEAL
AND
REQUEST FOR THREE-MONTH EXTENSION OF TIME**

RECEIVED

OCT 22 2003

TECH CENTER 1600/2900

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated April 18, 2003, finally rejecting claims 1-20 and 43-46.

Applicants hereby request an extension of time of three months from the due date of July 18, 2003. Enclosed is a check to cover both the \$475.00 extension of time fee and the \$165.00 appeal fee.

Please charge any additional fees which may be required or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this form is attached.

10/21/2003 AWONDAF1 00000145 09835684

01 FC:2401
02 FC:2253

165.00 OP
475.00 OP

Respectfully submitted,

Edwin V. Merkel
Edwin V. Merkel
Registration No. 40,087

NIXON PEABODY LLP
Clinton Square, P. O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1128
Facsimile: (585) 263-1600

R720223.1

Certificate of Mailing - 37 CFR 1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; on the date below.	
Date	10/15/03
Jane C. Wirszyla	